

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

BRIANNE DRESSEN, ET AL.,

Plaintiffs,

v.

ROB FLAHERTY, ET AL.,

Defendants.

Case No. 3:23-cv-155

**STANFORD DEFENDANTS' JOINDER TO
THE FEDERAL DEFENDANTS' MOTION TO STAY PROCEEDINGS**

Defendants Alex Stamos, Renée DiResta, and the Stanford Internet Observatory (together, the “Stanford Defendants”)¹ hereby join the Federal Defendants’ motion for a stay of this action pending final resolution of the appeal in *Missouri v. Biden*, No. 23-30445. ECF No. 11. As set forth in the Federal Defendants’ motion, a stay is warranted to conserve judicial resources and avoid potentially conflicting rulings. There is substantial legal and factual overlap between that case and this one, and the Fifth Circuit’s decision (and any subsequent appellate proceedings) may provide guidance to this Court and the parties regarding the viability of Plaintiffs’ claims and requests for relief. Plaintiffs will suffer no prejudice from such a stay, especially considering that they have not sought preliminary relief, and the Fifth Circuit has expedited consideration of the appeal in *Missouri v. Biden*.

To be sure, the Fifth Circuit’s decision will not decide all of the legal issues presented here. The Stanford Defendants are private persons and entities and will have additional arguments for

¹ The Stanford Internet Observatory is a program of Leland Stanford Junior University (Stanford University), not an independent juridical person with the power to sue or be sued. Counsel for Plaintiffs and for the Stanford Defendants are currently meeting and conferring on this issue.

dismissal beyond those presented by the government in *Missouri v. Biden*—including, for example (and without limitation), this Court’s lack of personal jurisdiction over the Stanford Defendants, who have no contacts with the State of Texas sufficient to support jurisdiction. The Stanford Defendants will be prepared to raise those additional arguments at the appropriate time, if necessary. But, for now, staying this litigation pending resolution of the appeal in *Missouri v. Biden* will conserve judicial and party resources, and may clarify certain legal issues presented here.

For the foregoing reasons and those stated in the Federal Defendants’ motion, the Stanford Defendants respectfully request that the Court stay this action pending final resolution of the government’s appeal from the preliminary injunction issued in *Missouri v. Biden*.

August 25, 2023

Respectfully submitted,

/s/ Christopher M. Odell

Christopher M. Odell (State Bar No. 24037205)

ARNOLD & PORTER KAYE SCHOLER LLP

700 Louisiana Street, Suite 4000

Houston, TX 77002

Telephone: (713) 576-2401

Facsimile: (713) 576-2499

Email: christopher.odell@arnoldporter.com

John B. Bellinger III*

Elisabeth S. Theodore*

R. Stanton Jones*

Stephen K. Wirth*

ARNOLD & PORTER KAYE SCHOLER LLP

601 Massachusetts Ave. NW

Washington, DC 20001

Telephone: (202) 942-5000

Facsimile: (202) 942-5999

Email: john.bellinger@arnoldporter.com

elisabeth.theodore@arnoldporter.com

stanton.jones@arnoldporter.com

stephen.wirth@arnoldporter.com

* Motions for admission *pro hac vice* forthcoming

*Counsel for Alex Stamos, Renée DiResta, and the
Stanford Internet Observatory*

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2023, I electronically filed the foregoing document by using the Court's CM/ECF system. Service will be accomplished by the CM/ECF system on all parties to the case who are registered CM/ECF users.

Dated: August 25, 2023

/s/ Christopher M. Odell
Christopher M. Odell